_08-े -1538

AN ORDINANCE AND CHARTER AMENDMENT BY COUNCILMEMBERS JIM MADDOX, Or The

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA PURSUANT TO THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1 ET SEQ., AS AMENDED, BY AMENDING SECTION 4-104 (d) SO AS TO PROVIDE THAT FOR THE NEXT ELECTION OF MUNICIPAL COURT JUDGES, TO BE HELD IN 2009, IF MORE THAN SEVEN (7) JUDGES ELECT TO CONTINUE TO SERVE FOR AN ADDITIONAL FOUR YEAR TERM, ONLY THE SEVEN (7) JUDGES RECEIVING THE HIGHEST NUMBER OF VOTES SHALL CONTINUE TO SERVE; TO WAIVE CONFLICTING ORDINANCES AND CHARTER AMENDMENTS; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: Section 4-104 (d) of the Charter of the City of Atlanta, Georgia which currently provides as follows:

(d) Term of office. A judge of the municipal court shall be appointed for a term of four years and, upon completion of such term, such judge shall continue to serve until not retained by a vote of city electors as provided herein.

Is hereby amended so as to provide as follows:

(d) Term of office. A judge of the municipal court shall be appointed for a term of four years and, upon completion of such term, such judge shall continue to serve until not retained by a vote of city electors as provided herein,

Provided however, that for the next election of municipal court judges, To be held in 2009, if more than seven (7) judges elect to continue to serve for an additional Four year term, only the seven (7) judges receiving the highest number of votes shall continue to serve;

Section 2: A copy of this proposed amendment to the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia", attached hereto as Exhibit "A" and by reference, made a part hereof, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement shall be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

<u>Section 3:</u> All Ordinances and Charter Amendments in conflict herewith are hereby waived to the extent of any such conflict.

EXHIBIT "A"

"Notice of Proposed Amendment to the Charter of the Charter of the City of Atlanta, Georgia"

Notice is hereby given that an ordinance has been introduced to amend Section 4-104(d) entitled "Judges; qualifications; term of office; appointment; oath; vacancies; compensation." of the Charter of the Atlanta, Georgia (1996 Ga. L. (Act No. 1019, et. seq.) as amended, so as to provide that for the next election of municipal court judges, to be held in 2009, if more than seven (7) judges elect to continue to serve for an additional four year term, only the seven (7) judges receiving the highest number of votes shall continue to serve; to waive conflicting ordinances and charter amendments; and for other purposes.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the office of the Clerks of the Superior Courts of Fulton and Dekalb Counties, Georgia, for purposes of examination and inspection by the public.

This	day	of	. 2008	3
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Rhonda Dauphin Johnson Municipal Clerk City of Atlanta

(7) Committee on the council.

- a. All operations of the council, its officers and employees.
- b. All appointments of the executive branch which by law must be approved or confirmed by the council.
- c. All questions pertaining to conflicts of interest and standards of conduct.
- d. The revision, codification and clarification of all ordinances and examination of all proposed ordinances and resolutions as to their clarity.
- e. Formulation of the agenda of the council.
- f. All matters pertaining to elections, initiatives and referenda.
- g. The rules of the council and any modifications thereof.
- h. The conduct, decorum and good repute of the council and the members thereof.
- i. Expenditures of funds appropriated for the council.
- j. Review of nominations for staff positions of director of council staff and municipal clerk.
- k. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee.

Sec. 2-135. Jurisdiction of standing committees.

- (a) The standing committees of the council shall have jurisdiction as follows:
 - (1) Committee on public safety and legal administration.
 - a. The public safety, generally;
 - b. Department of police.
 - c. Department of fire.
 - d. Department of corrections.
 - e. Office of emergency management services.
 - f. Licenses issued under the police powers of the city.
 - g. All matters pertaining to findings of discrimination under the human relations ordinances of the city.
 - h. All matters pertaining to the drafting, implementation and supervision of all penal ordinances of the city.
 - All matters pertaining to the operation of the courts of the city and, with respect to municipal court, all matters pertaining to the number of judges and their salaries.
 - j. Duties of the solicitors and the salary of the solicitor and assistant solicitors.
 - k. The number of assistant public defenders and the salary of the public defender and all assistant public defenders.
 - I. The duties of the public defenders and assistant public defenders.
 - m. The number of court officers pro hac vice.
 - n. The law department.
 - o. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee.